

ORAL ARGUMENT NOT YET SCHEDULED

No. 23-1174 (L), 23-1221

**UNITED STATES COURT OF APPEALS FOR THE DISTRICT
OF COLUMBIA CIRCUIT**

CITY OF PORT ISABEL, *et al.*,
Petitioners, v.
FEDERAL ENERGY REGULATORY COMMISSION,
Respondent.

On Petition for Review of Orders of the
Federal Energy Regulatory Commission

ERRATA TO PETITIONERS' JOINT FINAL OPENING BRIEF

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Dated March 15, 2024

Petitioners hereby respectfully submit this errata to the Opening Proof Brief of Petitioners filed on December 6, 2023 (Doc. No. 2030336). In the final brief, in addition to correcting punctuation and grammatical errors, on page 15, Petitioners have replaced two record cites with an additional pincite to the previously-included following legal authority:

After Sierra Club and others challenged the projects' Clean Water Act permit, ~~R.1381 [JA]~~, Rio Bravo proposed eliminating the compressor station at issue. ~~R.1392, Application, 1-2 [JA]~~
 ~~}~~ *Shrimpers & Fishermen of the RGV v. United States Army Corps of Engineers*, 849 Fed.Appx. 459, 461 (5th Cir. Mar. 9, 2021). This led the Corps to withdraw the permit for reconsideration, rendering that petition unripe. ~~*Shrimpers & Fishermen of the RGV v. United States Army Corps of Engineers*, 849 Fed.Appx. 459, 461 (5th Cir. Mar. 9, 2021)~~. *Id.*

This correction is appropriately within the scope of Fed. R. App. P. 30(c)(2)(B)'s requirement to only change "typographical errors," because record item R.1381 was inadvertently cited but is not the correct document (R.1381 is the petition for review in a separate and unrelated Endangered Species Act lawsuit), this change does not cite any new material not already presented, this is the smallest change that corrects this objectively obvious error, the text surrounding these citations is

unchanged, and the subject matter is merely context not directly pertinent to the disputed issues in this litigation.

Dated March 15, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of March, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to all registered CM/ECF users.

/s/ Nathan Matthews

Nathan Matthews